

CORRECTED FISCAL MEMORANDUM SB 2623 – HB 2597

February 19, 2008

SUMMARY OF AMENDMENT (013384): Deletes the language of the original bill. Removes provision from current law regarding the administering of blood alcohol tests to DUI suspects that requires such tests be administered within two hours following such person's arrest or initial detention in order for the results of such test to be admissible as evidence.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Not Significant

Increase Local Gov't. Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On January 29, 2008, we issued a fiscal memorandum on this bill as amended indicating the following estimated fiscal impact:

Increase State Revenue – Not Significant

Increase Local Gov't. Revenue – Not Significant

Increase Local Gov't. Expenditures* – Exceeds \$84,700

Based on additional information received from the Department of Safety, the fiscal impact of this bill as amended is estimated as follows:

(CORRECTED)

Increase State Revenue – Less than \$10,000

Increase State Expenditures – Not Significant

Increase Local Revenue – \$61,900

Increase Local Expenditures* – \$90,700

Assumptions applied to amendment:

- The Department of Safety (DOS) estimates approximately 200 additional convictions per year statewide.
- Eighty-five percent of additional convictions (170) will be first-time offenders.

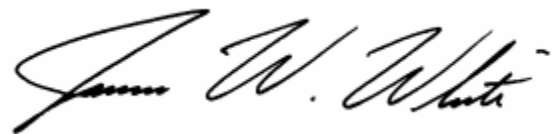
SB 2623 – HB 2597 (CORRECTED)

- Ten percent of additional convictions (20) will be second-time offenders.
- Five percent of additional convictions (10) will be third-time offenders.
- Average period of incarceration is estimated to be 2 days for first-time offenders; 45 days for second-time offenders; and 120 days for third-time offenders;
- Weighted-average cost of incarceration is estimated to be \$37.18 per day.
- Additional number of days of incarceration is estimated to be 2,440 [(170 x 2 days) + (20 x 45 days) + (10 x 120 days) = 2,440] per year.
- The increase to local government expenditures is estimated to be \$90,700 (2,440 additional days x \$37.18 = \$90,719) per year.
- DOS indicates the minimum amount of fines for DUI convictions to be \$350 for first-time offenders; \$600 for second-time offenders; and \$1,100 for third-time offenders.
- 25% of offenders will not pay fines due to indigence.
- The total increase of violation revenue is estimated to be \$61,900 [(170 x \$350) + (20 x \$600) + (10 x \$1,100)] x 75% = \$61,875) per year.
- Local governments receive 100% of DUI fine revenue.
- Expenditures for the DOS are expected to increase as a result of additional data entry for 200 additional convictions. Such increase in state expenditures is estimated to be not significant.
- The increase to state revenue resulting from driver license reinstatement fees is estimated to be less than \$10,000 per year.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/rnc